

Punjab-Haryana High Court
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Writ Petition No.3095 of 2009
Date of decision: 05.04.2010

Harbans Lal Sharma .
Petitioner

versus

State Information Commission Punjab and others
Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN -----

Present: None for the petitioner. Mr. Anill Kumar Sharma, Additional Advocate General,
Punjab, for respondents 1 and 3.

None for respondent No.2.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest? -----

K.Kannan, J (Oral)

1. The challenge to the order passed by the State Information Commissioner is that he was not a Public Information Officer and therefore, no punishment could have been awarded against the petitioner for alleged delay in furnishing

of information. The petitioner has placed on record the notification which is issued under Annexure P-1 which shows that the Public Information Officer is Smt.Nargis Gurdial Singh, Joint Director Employment, Punjab and Smt. Kamlesh Bhandari, Deputy Director Employment, Punjab as Public Information Officer and Assistant Public Information Officer respectively. The order issued is, Civil Writ Petition No.3095 of 2009 -2- therefore, not tenable having regard to the simple issue that whether a person who is not a PIO could have been visited with the punishment under Section 20 of the Right to Information Act. I dispose of the writ petition quashing the impugned order.

2. The petitioner's contention was also that the amount which was directed to be paid as the charges for furnishing copies had not been submitted by the complainant and, therefore, there had been some delay in furnishing the same. I accept the explanation offered by the petitioner as justified.

3. The impugned order is set aside on both counts. (K.KANNAN)

JUDGE

05.04.2010

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